

Board of County Commissioners

Division of Planning & Development

Code Compliance Department

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CODE ENFORCEMENT BOARD

January 12, 2004

The regular meeting of the Code Enforcement Board of Sumter County, Florida, was called to order on Monday, January 12, 2004 at 6:00 P.M. followed by the Pledge of Allegiance to the Flag.

The following members were present: Horton Barnes/Chairperson, Cliff Current/Vice - Chairperson, Tommy Messer, Terry Pasko, Cheryl Barnes and Diana Couillard.

Charles Castle, member, was absent (excused).

Present from the Code Compliance staff were Paul Jochum-Code Compliance Manager, Al Folden-Code Compliance Inspector and Alysia Akins-Code Enforcement Board Secretary.

Terry Neal-Attorney for Sumter County Code Compliance Inspectors was present.
Randall Thornton-Attorney for the Code Enforcement Board was not present.

Mr. Current made a motion to approve the minutes from the December 8, 2003 hearing.
Mr. Messer seconded the motion and the motion carried.

Mr. Jochum and Mr. Folden were sworn in.

Old Business:

The following case has been issued an affidavit of compliance:
CC2003-0050/JR Ministries

The following case has been filed as a lien:
CC2003-8/Varnum

The following case was issued an affidavit of non-compliance:
CC2003-285/Godwin

New Business:

The following case was noted in the record for filing of an affidavit of pre-hearing compliance:

CC2003-0093/Gonzalez

File: #CC2003-0014/Earles

911 address: 1908 CR 615B/Bushnell

Parcel: N20B014/OR 610 – PG 474

SCCV: 6-104.(4)/Nuisances-inoperable and Section 13-E.3.1.2 SHC 307.4/Sanitation required care of premises

Phillip Raymond Earles, Respondent, was present. Mr. Folden testified the Request for Hearing had been sent by certified mail, but was returned. Mr. Folden testified he had posted the property on December 9, 2003. Photos of the violations were taken by Mr. Folden on 12/9/03 and were submitted into the record. Mr. Folden testified his last visit to the property had been on 1/6/04 and found the property to still be in violation of the above-mentioned codes. Mr. Folden testified the inoperable vehicles had been removed, but there were still car parts left. Mr. Earles testified he had taken the car parts to the landfill on 1/2/04 and had the receipt for proof.

Mrs. Couillard made a motion to have the inspector check for compliance immediately, and if the property was found to be in non-compliance, a fine of twenty-five dollars (\$25.00) per day would ensue against the property for each and every day of non-compliance. Mrs. Barnes seconded the motion.

Mrs. Couillard amended her motion for a re-inspection of the property in 2 weeks, and if the property was found to be in non-compliance, a fine of twenty-five dollars (\$25.00) per day would ensue against the property for each and every day of non-compliance. Mr. Current seconded the amended motion and the motion carried with one dissenting vote by Mrs. Barnes.

File: #CC2003-0021/Brocklehurst

911 Address: 11475 CR 675W/Webster

Parcel: R12C013/OR 1033 – PG 543

SCCV: 6-104(2) Nuisances-trash and debris and 13-E312 SHC 307.4 Sanitation required care of premises

Martha Brocklehurst, Respondent, and Larry McGill, Respondent's son, were present and sworn in. Mr. Jochum testified that the Request for Hearing had been sent by certified mail. Mr. Jochum submitted testimony regarding the violations, and photographs that had been taken on 9/10/03. Mr. Jochum testified 12/30/03 had been his last visit to the property, in which the property remained in non-compliance. Ms. Brocklehurst testified the appliances on her property had been dropped off and she was working on getting the furniture removed.

Mr. Messer made a motion to give the respondent 30 days to bring the property into compliance or a fine of fifteen dollars (\$15.00) per day would be imposed for each and every day of non-compliance. Mr. Current seconded the motion and the motion carried.

File: #CC2003-305/Lyons

911 Address: 6730 CR 559/Bushnell

Parcel: N15=088/OR 824 – PG 645

SCCV: 13-E312 SHC 301, 13-E312 SHC 302.9, 13-E312 SHC 304, 13-E312 SHC 305.16.1, 13-E312 SHC 305.16.2 and 13-E312 SHC 305.17

David Lyons, Respondent, and Hazel Lyons, Respondent's mother, were present and sworn in. Mr. Folden testified that the Request for Hearing had been sent by certified mail. Mr. Folden testified 1/7/04 had been his last visit to the property and found the property to be in non-compliance. Mr. Folden submitted photographs into the record that had been taken on 11/14/03 showing the violations. Mr. Lyons testified his mother was the landlord and they are trying to get the place cleaned up. He explained the problems they have had with previous tenants and how all the rent money they received went towards helping to get his brother out of prison. He stated they are working on getting the trash removed and have been working on the mobile home.

Mrs. Couillard moved to give the respondent 30 days to bring the property into compliance or a fine of fifteen dollars (\$15.00) per day would be imposed for each and every day of non-compliance. Mrs. Barnes seconded the motion and the motion carried.

File: #CC2003-347/Holden

911 Address: 1939 CR 428/Lake Panasoffkee

Parcel: F31C173/OR 1044 – PG 460

SCCV: 13-51(A)(2)(A) Permits required

There was no one present. Mr. Folden testified that the Request for Hearing had been sent by certified mail and the property had been posted on 11/12/03. Mr. Folden testified 1/5/04 had been his last visit to the property and found the property to be in non-compliance. Mr. Folden submitted photographs into the record that had been taken in July and August of 2003. Mr. Folden testified the mobile home seems to be unoccupied currently. The property is in the name of an estate, so Mr. Folden was asked to find out whom the exact owner was.

Mr. Messer moved to give the respondent 30 days to bring the property into compliance or a fine of fifty dollars (\$50.00) per day would be imposed for each and every day of non-compliance. Mr. Pasko seconded the motion and the motion carried.

File: #CC2003-369/Garris

911 Address: 3644 CR 412A/Lake Panasoffkee

Parcel: F30B080/OR 244 – PG 673

SCCV: 6-104(3), 6-104(2), 13-E312 SHC 307.4 and 21-1(A)

Attorney Neal explained the letter of request for an extension that had been submitted by Dee Harper, in care of Betty Garris.

Mrs. Couillard moved to grant the request for extension of 90 days, which will be the April 12, 2004 CEB meeting. Mrs. Barnes seconded the motion and the motion carried.

File: #CC2003-376/Ely

911 Address: 7336 CR 627/Bushnell

Parcel: M23A702/OR 939 – PG 284

SCCV: 13-51(A)(3)(A) Permits required and Table 13-362A-2.110 One unit per parcel

There was no one present. Mr. Folden testified that the Request for Hearing had been sent by certified mail. Mr. Folden testified 1/6/04 had been his last visit to the property and found the property to be in non-compliance. Mr. Folden submitted photographs into the record that had been taken on 9/25/03. Mr. Folden testified the structure seems to be unoccupied at this time and the RV has been removed. Also, the work on the structure seems to have ceased, but it is not secured and is considered to be unsafe.

Mr. Current moved to give the respondent 30 days to renew the building permit or secure the structure, or a fine of ten dollars (\$10.00) per day would be imposed for each and every day of non-compliance. Mrs. Couillard seconded the motion and the motion carried.

File: #CC2003-419/Huhn

911 Address: 8900 CR 641/Bushnell

Parcel: M30B098/OR 277 – PG 525

SCCV: 6-104(3) and 6-90(A) and (B)

There was no one present. Mr. Jochum testified that the Request for Hearing had been sent by certified mail, but was returned, so the property was posted on 12/30/03. Mr. Jochum testified 12/30/03 had been his last visit to the property and found the property to be in non-compliance. Mr. Jochum submitted photographs into the record that had been taken on 8/27/03 and 12/30/03. Mr. Jochum testified the windows were broken and the door was open.

Mr. Current moved to give the respondent 60 days to secure the structure, or a fine of ten dollars (\$10.00) per day would be imposed for each and every day of non-compliance. Mr. Pasko seconded the motion and the motion carried.

There being no further business, Mrs. Couillard made a motion to adjourn at 7:15 PM. Mr. Messer seconded the motion and the motion carried.

Chairman

Recording Secretary